



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Brian Calhoun**  
**Brad Castillo**, Acting President  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, APRIL 29, 2003**

*If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on [www.ci.fresno.ca.us](http://www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.*

## **8:30 A.M. ROLL CALL**

Invocation

Pledge of Allegiance to the Flag

Introduction and Welcome to Counsel General Hu Guangxiang and Deputy Counsel General Qiu Xvejun from China - Council President Boyajian

Proclamation of "ELDER ABUSE PREVENTION MONTH" - Mayor Autry and All Councilmembers

Proclamation of "LAW DAY" - Mayor Autry and All Councilmembers

Proclamation of "FRESNO HIGH JUNIOR R.O.T.C. DAY" - Council President Boyajian

Proclamation of "NATIONAL CHILD ABUSE PREVENTION MONTH" - Councilmember Perea

Proclamation of "FLOYD BOLER DAY" - Councilmember Duncan

Proclamation of "OLDER AMERICANS MONTH" - Councilmember Dages

**CEREMONIAL DOCUMENT CONTINUED**

Resolution of Commendation to Fresno City College 2002-2003 Men's Basketball Team and Coach, Vance Walberg - Councilmember Calhoun

Presentation of Student Recognition Certificates for the Third Quarter to District 4 Students - Acting President Castillo

*Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.*

*The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.*

Approve minutes of April 22, 2003

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

**8:30 A.M.**

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of April 8, 2003

**Action Taken:**

**AGENCY GENERAL CONSENT CALENDAR**

- A. Award a contract to Dave Christian Construction for roadway improvements for the Roeding Business Park and approve a Loan Agreement between the City of Fresno and the Redevelopment Agency to provide direction to City and Agency staff to return with enabling documents **(Council and Agency action)**

**Action Taken:**

1. \* **RESOLUTION** - 81<sup>st</sup> amendment to AAR No. 2002-216 appropriating \$1,800,000 for the purpose of partially funding Roeding Business Park Road improvements contracted by the Redevelopment Agency **(Requires 5 affirmative votes) (Council action)**

**Action Taken:**

**ADJOURN AGENCY**

## **TIME SCHEDULED HEARINGS AND MATTERS**

**9:45 A.M. RECESS**

**10:00 AM#1** Presentation of Employee Service Awards - 2<sup>nd</sup> Floor Foyer  
*(Reception immediately following)*  
**Action Taken:**

**10:00 AM#2 HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation No. 47, Tract No. 5099 - Public Works Dept.

**Action Taken:**

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, and authorizing the levy of a special tax  
**Action Taken:**
- b. **RESOLUTION** - Calling special mailed-ballot election  
**Action Taken:**
- c. **RESOLUTION** - Declaring election results  
**Action Taken:**
- d. \* **BILL** - Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 47  
**Action Taken:**

**10:15 A.M.** Adoption of resolution pertaining to competitive bidding: (General Services Dept.)

1. **RESOLUTION** - Establishing procedures for appeals in the competitive bidding process and repealing Resolution No. 2001-52  
**Action Taken:**
2. **RESOLUTION** - Establishing debarment procedures and requirements  
**Action Taken:**
3. **RESOLUTION** - Establishing procedures for appeals in the pre-qualification process for design-build contracts  
**Action Taken:**

**10:45 A.M. HEARING** to consider Plan Amendment Application No. 02-25 and environmental findings, filed by Granum Partners, for 7.8 acres of property located on the easterly corner of Champlain and Perrin Avenues *(Property located in District 6)* - Planning and Development Department

**Action Taken:**

- a. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-02-25/C-02-285  
**Action Taken:**
- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Woodward Park Community Plan from the office commercial planned land use designation to the community commercial land use designation  
**Action Taken:**
- c. **BILL** - Amending the Dominion Planned Community Specific Plan from the office-restaurant planned land use designation to the commercial land use designation  
**Action Taken:**
- d. **BILL** - Amending segments of the Dominion Planned Community Trail System on the easterly, northerly, and westerly corners of Perrin and Champlain Avenues

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:00 A.M.**     **HEARING** to consider naming the old Convention Center Exhibit Hall the "Ernest E. Valdez Hall" - Councilmember Dages

**Action Taken:**

**2:00 PM#1**     **CONTESTED CONSENT ITEMS**

**2:00 PM#2**     **CLOSED SESSION**

**A.     CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

**City Negotiator(s):**   Severo Esquivel, Adela Gonzalez and Jorge C. Aguiniga

**Employee Organization(s):**

1.       Amalgamated Transit Union (ATU) Unit 06

**Action Taken:**

**B.     CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**, Government Code Section 54956.9

1.       **Case Name:**   FAA v. City of Fresno

**Action Taken:**

**2:15 P.M.**     Approve and accept City of Fresno Comprehensive Annual Financial Report (CAFR) for fiscal year 2002 and related Letter of Management - Finance Dept.

**Action Taken:**

**2:35 P.M.**     Appearance by Troy Jowers and Wayne Nordyke to dispute an amount the City of Fresno Code Enforcement Division charged for cleaning up debris from property located at 645 "A" Street (APN 467-201-02)

**2:40 P.M.**     Appearance by Bertha Warren to dispute an amount the City of Fresno Code Enforcement Division charged for cleaning up debris from property located in an alley behind 230 E. Stanislaus

**2:45 P.M.**     Discussion relating to Archie Crippen Excavation Fire:

a.       Implementing results of the Southwest Fire Task Force as a result of the Archie Crippen Excavation Fire - Councilmember Sterling

**Action Taken:**

b.       Request City Manager to return to Council with recommendations from the Mayor's Task Force for changes necessary to preclude a similar occurrence in the future, including but not limited to amending ordinances, permitting processes and enforcement procedures - Councilmember Duncan

**Action Taken:**

c.       Direct staff to return with an urgency ordinance suspending conditional use permits and special permits for excavation and recycling facilities pending the preparation and adoption of new zoning and other ordinances - Acting President Castillo

**Action Taken:**

1.

## **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested, in which event the item will be removed from the Consent Calendar and considered at 2:00 p.m.)

- A. **RESOLUTION** - Authorizing submittal of a grant application to the California Parks and Recreation Department under the Land and Water Conservation Fund for improvements to the Fulton Mall - Parks, Recreation and Community Services  
**Action Taken:**
- B. **RESOLUTION** - Of intention to annex Final Tract No. 5123 to the City of Fresno Community Facilities District No. 2, Annexation No. 50 and to authorize the levy of special taxes - Public Works Dept.  
**Action Taken:**
- C. Approve appointment of Cary Catalano to the Human Relations Commission - Councilmember Perea  
**Action Taken:**
- D. \* **RESOLUTION** - 11<sup>th</sup> amendment to Salary Resolution No. 2002-219 adding a new Section 22 regarding salaries for employees in Exhibit 2 - 2.0 (non-represented) while absent due to injury in the line of duty, and re-numbering existing Sections 22 and 23 to Sections 23 and 24, respectively - Personnel Services Department  
**Action Taken:**
- E. Approval of proposed Lease Addendum No.1 to the Lease and Concession Agreement between Sharee Curtice, d.b.a. the Rub Club and the City of Fresno for the purpose of continuing to operate a chair massage business in a different area of the passenger terminal at Fresno Yosemite International Airport - Airports Department  
**Action Taken:**
- F. Approval of a U.S. Government Lease Modification for real property in the Fresno Yosemite International Airport Terminal between the City of Fresno and the Transportation Security Administration - Airports Department  
**Action Taken:**
- G. Award a requirements contract to National Water Works, Inc. of Fresno, California for water meter boxes - General Services Dept./Dept. of Public Utilities  
**Action Taken:**
- H. **RESOLUTION** - To authorize an agreement with the Office of Traffic Safety for the Safety Awareness Education Training (S.E.A.T.) Program up to \$150,000  
**Action Taken:**
- I. Extend requirements contract for office supplies with Office Depot through October 31, 2003 - General Services Dept.  
**Action Taken:**

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

- A. \* **BILL - (For intro.)** - Amending the Fresno Municipal Code relating to the regulation of vehicle sale activity - Public Works Dept.  
**Action Taken:**
- B. **BILL - (For intro.)** - Repealing and adding Section 9-805 of the Fresno Municipal Code relating to unlawful dumping - Code Enforcement Division  
**Action Taken:**

3. **GENERAL ADMINISTRATION**

- A. \* **BILL NO. B- 30 (Intro. 4/22/2003)** - Amending Section 9-503 of the Fresno Municipal Code relating to sewage and water disposal - Dept. of Public Utilities  
**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct staff to report back on impact of extending duration of yellow lights at specific intersections - Acting President Castillo  
**Action Taken:**
- B. Consideration of scheduling "Council Budget Study Sessions" as a replacement for the current Council Budget Committee process - Councilmember Calhoun  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** You may address the City Council regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

## SCHEDULED COUNCIL HEARINGS AND MATTERS

<b>May</b>	<b>6 -</b>	<b>9:00 A.M.</b>	Presentation of P.R.I.D.E. Team Certificates <i>(Reception immediately following - 2<sup>nd</sup> floor foyer)</i>
<b>May</b>	<b>6-</b>	<b>10:00 A.M.</b>	<b>HEARING</b> re: Rezone Application No. R-03-03, filed by Lars Andersons & Associates for Jamie Bratton, Bryan Thompson, and Steven Fogg
<b>May</b>	<b>6-</b>	<b>10:15 A.M.</b>	<b>HEARING</b> re: Resolution of necessity of property located on Van Ness and Inyo
<b>May</b>	<b>20 -</b>	<b>10:00 A.M.</b>	<b>HEARING</b> re: Rezoning Appl. No. R-02-57, filed by Robert Wood
<b>May</b>	<b>20 -</b>	<b>10:15 A.M.</b>	<b>HEARING</b> re: Rezone Appl. No. R-03-09, filed by Lawrence Partners
<b>May</b>	<b>20 -</b>	<b>10:20 A.M.</b>	<b>HEARING</b> re: Rezone Appl. No. R-03-004, filed by Alan D. Pirie
<b>May 27 - NO MEETING - MEMORIAL DAY</b>			
<b>June</b>	<b>3 -</b>	<b>8:30 A.M.</b>	<b>JOINT MEETING</b> with Madera County Board of Supervisors
<b>June</b>	<b>3 -</b>	<b>2:30 P.M.</b>	<b>HEARING</b> re: CFD No. 2, Annexation No. 48, Tract No, 4701
<b>June</b>	<b>3 -</b>	<b>2:35 P.M.</b>	<b>HEARING</b> re: CFD No. 2, Annexation No. 49, Tract No, 4682
<b>June</b>	<b>3 -</b>	<b>2:40 P.M.</b>	<b>HEARING</b> re: CFD No. 2, Annexation No. 50, Tract No, 5123
<b>June</b>	<b>3 -</b>	<b>2:45 P.M.</b>	<b>HEARING</b> re: Plan Amendment No. A-01-14, Rezone Appl. No. R-01-17, filed by Krazan & Associates
<b>June</b>	<b>3 -</b>	<b>3:00 P.M.</b>	<b>HEARING</b> re: Plan Amendment No. A-01-13, Rezone Application No. 02-16, filed by Krazan & Associates on behalf of Margaret Jensen
<b>June</b>	<b>17-</b>	<b>10:00 A.M.</b>	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 51, Tract No. 4993